

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA

KEVIN MAZZARELLA, et al.,	:	
Plaintiffs,	:	
v.	:	CIVIL ACTION
	:	NO. 14-5654
DETECTIVE MICHAEL BRADY, et al.,	:	
Defendants.	:	

**ORDER**

AND NOW, this \_\_7th\_\_ day of January, 2016, it is ORDERED that Defendants' Motion for Summary Judgment (ECF No. 56) is GRANTED in part and DENIED in part as follows:

- Summary Judgment is GRANTED as to Kevin Mazzarella's state law excessive force claim against Michael Rihl (Count III of Plaintiffs' Amended Complaint);
- Summary Judgment is GRANTED as to Kevin Mazzarella's Pennsylvania constitutional claims of assault and battery against Michael Rihl (Counts V and VI of Plaintiffs' Amended Complaint);
- Summary Judgment is GRANTED as to the Mazzarellas' state law false arrest claim against the Officers (Count IV of Plaintiffs' Amended Complaint);
- Summary Judgment is DENIED as to Kevin Mazzarella's federal excessive force claim against Michael Rihl (Count I of Plaintiffs' Amended Complaint); and
- Summary Judgment is DENIED as to Kevin Mazzarella's Pennsylvania common law assault and battery claims against Michael Rihl (Counts V and VI of Plaintiffs' Amended Complaint).

Therefore, Kevin Mazzarella's federal excessive force claim and Pennsylvania common law assault and battery claims against Michael Rihl are the only claims that remain in this action. Plaintiff Kevin Mazzarella and Defendant Michael Rihl are the only parties that remain in this action.

s/Anita B. Brody

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ANITA B. BRODY, J.

Copies **VIA ECF** on \_\_\_\_\_ to:

Copies **MAILED** on \_\_\_\_\_ to: